

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MASSACHUSETTS

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2005 JAN 28 P 1:02

BOSTON ARCHDIOCESAN TEACHERS'
ASSOCIATION

U.S. DISTRICT COURT
DISTRICT OF MASS

V.

DOCKET NO. 04-11197MLW

ARCHDIOCESAN CENTRAL HIGH SCHOOLS,
INC., ARCHBISHOP SEAN P. O'MALLEY, AS
A CORPORATION SOLE, THE ROMAN
CATHOLIC ARCHDIOCESE OF BOSTON,
NORTH CAMBRIDGE CATHOLIC HIGH
SCHOOL, INC., CATHEDRAL HIGH SCHOOL,
INC., MATIGNON HIGH SCHOOL, INC.,
POPE JOHN XXIII HIGH SCHOOL, INC.,
BISHOP FENWICK HIGH SCHOOL, INC.,
CARDINAL SPELLMAN HIGH SCHOOL, INC.,
MARIAN HIGH SCHOOL, INC. AND
ARCHBISHOP WILLIAMS HIGH SCHOOL, INC.)

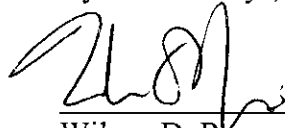
MOTION OF THE DEFENDANT, THE ROMAN CATHOLIC
ARCHBISHOP OF BOSTON, A CORPORATION SOLE,
TO DISMISS PLAINTIFF'S COMPLAINT

Now comes the Defendant, the Roman Catholic Archbishop of Boston, a Corporation Sole, and hereby moves to dismiss the Plaintiff's Complaint pursuant to F.R.C.P. 12(b)(1), (2), (3) and (6). As grounds therefore, the Defendant hereby joins and incorporates by reference the Motion to Dismiss of the Defendants, Archbishop Williams High School, Inc., Bishop Fenwick High School, Inc., Cardinal Spellman High School, Inc., Cathedral High School, Inc., Marion High School, Inc., Matginon High School, Inc., North Cambridge Catholic High School, Inc., Pope John XXIII High School, Inc. and Archdiocesan Central High Schools, Inc. previously filed in this matter.

Respectfully submitted,

ROMAN CATHOLIC ARCHBISHOP
OF BOSTON, A CORPORATION SOLE

By Its Attorneys,

A handwritten signature in dark ink, appearing to read 'W.D. Rogers, Jr.', is written over a horizontal line.

Wilson D. Rogers, Jr.

BBO #425120

Wilson D. Rogers, III

BBO #559943

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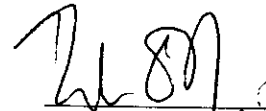
CERTIFICATE OF SERVICE

I, Wilson D. Rogers, III, Attorney for said Defendant, hereby certify that I have this day served copies of the foregoing documents on the Plaintiff by mailing a letter, postage prepaid, directed to:

Kathryn Noonan, Esquire
Terrence P. Noonan, Esquire
Law Office of Kathryn Noonan
1150 Walnut Street
Newton, MA 02461

Sean P. Sweeney, Esquire
Murphy, Lamere & Murphy, P. C.
Ten Forbes Road
P. O. Box 859003
Braintree, MA 02185

Signed under the pains and penalties of perjury this 26th day of January, 2005.



Wilson D. Rogers, III